

Exhibit A

Macris 7/8/2015

Rep:

Thank you for calling specialized loan servicing my name is Cierra can you verify your first and last name for me please?

Plaintiff:

Hi Cierra how you doing?

Rep:

Good

Plaintiff:

My name is Mark and my last name is Macris MACRIS.

Rep:

Ok, and the reason for your call today.

Plaintiff:

I am call up about a mortgage.

Rep:

How do you what?

Plaintiff:

I am calling up about a mortgage.

Rep:

About mortgage for the property .

Plaintiff:

Yes I am.

Rep:

Ok, so this is property 403 Tekwood terrace Amherst ny 14221

Plaintiff:

Yes

Rep:

And this property is still occupied correct?

Plaintiff:

Yes it is.

Rep:

And so what is your question?

Plaintiff:

What do you actually show as the status of this property where is it at this point.

Rep:

Well right now it is in foreclosure status, which I can provide you with the foreclosure attorney that is assigned to that.

Plaintiff:

Would that be Davison Fink?

Rep:

Yes, 585-546-6448

Plaintiff:

Correct, I already know that ok, here's my question. I already receive documentation paperwork on this from this attorney's group and I forward them off some legal documents that pertain to this property because my ex-wife handles this property and I'm not legally responsible for it anymore. Now the bank attorney responded to me and stated and stated in an email that they are dropping me from this proceeding. Do you have that paperwork there?

Rep:

As in regards to.. like are they are happen to be refinancing the property at all or?

Plaintiff:

They are dropping me from this, your bank attorney is dropping me from this proceeding.

Rep:

Ok, so the only attorney that is assigned to this file is that one that we just confirmed.

Plaintiff:

Correct.

Rep:

You talk to them about that?

Plaintiff:

Ok, I received a email from them a Mr. Kurt Odenbach from Davison and Fink he responded to my information. It says, I am in receipt of your email I am the attorney I' am handling this matter and agree that we can drop you from this action. We will be able to do so at the next pleading. So did you receive correspondence them?

Rep:

Let me look into that, bare with me one moment, ok?

Plaintiff:

Sure

Rep:

You recall when these exchanges where happening as far as the dates or the month?

Plaintiff:

May 18th , he sent me a email.

Rep:

It's regarding removing you from the loan or from the process as. When you say process what are you referring too? Are you referring to like a modification package? The loan itself?

Plaintiff:

Ok,

Rep:

The only thing we have from around that time as far as May between the 19th and 8th of May would be just the escrow amount and disclosure statement and the billing statement that was sent out and we didn't receive anything in time frame in the month of May.

Plaintiff:

Ok, well, alright. So I guess I'll back track, I'll back track a little bit. I have not lived in this house since 2008 and per our divorce agreement which I sent your bank attorney a certified copies, I sent your bank attorney's a copy of it. It's signed by a Judge saying I'm not responsible for this mortgage anymore my ex-wife is.

Rep:

Ok.

Plaintiff:

Your bank attorney agreed with my matrimonial settlement agreement to remove me from this.

Rep:

Ok.

Plaintiff:

So I want to know what's going on with this, I'm to be remove from this by law.

Rep:

Ok you want to confirm that you sent documents in, in regards to being removed.

Plaintiff;

I already sent documents to your attorney and your attorney agreed to remove me from this.

Rep:

Remove you from the account?

Plaintiff:

From this action.

Rep:

Oh from the foreclosure action?

Plaintiff:

From the foreclosure action from the foreclosure action, correct.

Rep:

Ok, so the thing is anybody who is on the loan is going to automatically receive the same consequences as anybody else that is on the loan. So because you and Catherine are on the loan together. The only

why you could be removed is that if you would refinance the loan or you know some why in the form where you could remove your name from the loan itself where it's just her. Because who is ever is on the loan will deal with the consequences. Your basically 100% responsible, now because you sent that request in and I'm gonna try to look for it then back track. In regards to if there was a response to that , now like a said I don't see anything in May there were only two things that were in May but that is something we sent out to you guys to the property address that's on file or mail address that's on file. Anything prior to that I don't see anything, I do see a complaint in here. I also see.

Plaintiff:

Complaints for what?

Rep:

Let me see, let me pull it up, that was in March so.

Plaintiff:

Complaint's about what?

Rep:

I'm gonna pull it up, ok so it looks like they were asking you guys to remove from the property because it's going to be foreclosed on.

Plaintiff:

Ok, well I don't live at the property, I never lived at that property.

Rep:

No I'm just saying that was the remarks, that was the remark that was sent out. I was just telling you what I can see on my end. So far based on the request you put in I don't see a response on that because, you guys are both gonna be responsible because you both are on the loan unless you refinance the loan. So.

Plaintiff:

Ok, your attorney is relieving me from this. Your attorney from a court order, so you mean to tell me that (can't understand)

Rep:

So when you say our attorney are you referring to the attorney I just confirmed with you?

Plaintiff:

Davison fink llp, correct.

Rep:

You need to contact him because we don't have any information on regards to that then.

Plaintiff:

Ok, well I already reached out to him but I haven't received a response .

Rep:

Ok, there not much I can do sir. I'm going off of the notes and if there is any information he need to send to us, he would send to us. But I don't see anything in regards to that what you are talking about. You would need to address that concern to him.

Plaintiff:

Can I speak to your supervisor?

Rep:

Absolutely, one moment sir.

Holding.....

Rep:

Thank you for calling specialized loan servicing this is Amy my I have your name please?

Plaintiff;

Hi Amy, my name is Mark Macris.

Rep:

And the last for of your social please?

Plaintiff:

8390

Rep:

And how can I help you?

Plaintiff:

Ok, I'm calling up about a mortgage. Now a real long story short here. I know that this mortgage is in foreclosure and the process is going on. Correct?

Rep:

In the what?

Plaintiff:

That the house, my old residence in going into foreclosure. Correct? .

Rep:

Correct.

Plaintiff:

Ok, alright, I received some paperwork from Davison and Fink LLP, ok, about the foreclosure process.

Rep:

Ok?

Plaintiff:

Ok, I responded to the foreclosure process, ok, I responded with my divorce information because I'm not legally responsible for the house anymore by the matrimonial agreement.

Rep:

You actually are. I mean just because the divorce decree states that she retains the property listed in the divorce. Does not get you, doesn't make you not financially responsible for this debt.

Plaintiff:

Ok, here's my question, your bank attorney, your bank attorney Davison and Fink sent me a email on May 18th. I'm in receipt of your email to Erinn Prestidge because I am now the attorney handling the file. I have reviewed the matter and agree that we can drop you from the above referenced action. We will be able to do so at the next filed pleading. Your attorney read my information signed by a judge alleviating me from this.

Rep:

I can tell you that the investor is not alleviating you from this. Your name is on this mortgage, um and on this loan and is much your responsibility as it is Catherine's , the , the attorney, the foreclosure attorney there going to have to discuss that with our foreclosure department because they actually work for us they don't have the loan they work for us. This your, I mean this is your loan as well as it is Catherine's whether she retains it in the divorce or not . I mean it's still your financial responsibility the only why your name gets removed from this is if the house should be refinanced by Catherine in her own name.

Plaintiff:

Ok, your missing my point here, your attorney that you hired to handle this is alleviating me from it.

Rep:

Ok I'm just advising that we are not alleviating you from it.

Plaintiff:

You're not alleviating me even though your attorney , your attorney has paper from a judge .

Rep:

Sir you're a part of this mortgage, so your name is going to be on the paperwork that we file when we do the foreclosure so there is nothing that will alleviate you from this unless the mortgage would be refinanced by Catherine.

Plaintiff:

Ok , but there's a judge that signed paperwork so

Rep:

Ok, and I UNDERSTAND what you're saying sir and I understand were your coming from because I have paperwork like that too that I wasn't responsible for certain things , but I was. Ok but unfortunately that doesn't get us out of of the financial debt if they don't pay their portion.

Plaintiff:

But if you don't honor and agreement by a judge, you are going to go against a judge, you are going to go against a supreme court judge's Order.

Rep:

If she doesn't follow through on paying that debt than I mean unfortunately that debt is still yours as well. Your name is on the mortgage .

Plaintiff:

You know what , you know what , I'm not getting anywhere here.

Rep:

Ok.

Plaintiff:

I'm sorry , I'm not getting anywhere with you , I already talk to this court. So if you're not going to honor this agreement I'll have to file a suit against you. I mean I don't want to be jerk here but , your attorney said ok. Here's the paperwork your attorney the bank attorney that you hired , has done this .

Rep:

I'M ADVISING YOU AT this point that this is the information I can provide to you . So, is there anything else I can help you with then?

Plaintiff;

No, I want to speak to your supervisor.

Rep:

Ok, I can have them give you a call back it will be 24 – 48 hours

Plaintiff:

What is his name and number?

Rep:

Well it's a her and her name is Minnie and there is no phone number to provide to you . I will have her give you a call back in 24-48 hours.

Plaintiff:

Minnie, M I N N I E ?

Rep:

That's correct.

Plaintiff:

Ok, I'm not trying to give you a hard time here, but.

Rep:

Ok

Plaintiff:

Do you have correspondence with Davison and Fink in regards to this matter?

Rep:

Sir I don't communicate directly to the foreclosure attorney's that is a completely separate department. that communicates with those attorney's and they don't take phone calls. So, all I can advise you is that because you are on this mortgage you are also responsible for this debt. So, um I will go ahead and have my manager give you a call back . Sir anything else that I can assist you with today?

Plaintiff:

Ok, so you have been through these circumstances before is what you said.

Rep:

Yes sir I have.

Plaintiff:

Ok, ok, so when you, you hire why do you hire attorney for a foreclosure.

Rep:

Again, sir I don't hire the attorney 's and I don't deal with the foreclosure attorney's . All that I can Adv, All that I can Ad, All that I can advise.

Plaintiff:

Why does Specialized loan servicing hire attorney's to handle handle foreclosures.

Rep:

Well sir we have to have a local attorney that can go to the court and file the paperwork.

Plaintiff:

So you have a willful attorney to file paperwork on behalf of Specialized Loan Servicing . Correct?

Rep:

That's correct sir.

Plaintiff:

Ok so you pay them money to represent you in court. Correct?

Rep:

Correct sir, where are we going with this.

Plaintiff:

I'm trying to rationalize this. I'm not trying to give you a hard time.

Rep:

Sir, Sir it's Minnie thing that I can't advise you about our foreclosure attorney's or what it is that they do or there process or anything else like that , I can't advise you. All that I can advise you is that your name is on this mortgage and your financially responsible for it.

Plaintiff

Well, when a court , when a court says no, then that's a different story.

Rep:

Ok.

Plaintiff:

If Specialized loan Servicing want to ignore a court Order and ignore your own attorney's Order I don't know about that.

Rep:

Well is there anything else that I can assist you with sir ?

Plaintiff:

Ok what is your name, first and last name?

Rep:

My name is Amy we don't give out our last names, my teller ID is 11583.

Plaintiff:

Your name is Amy and what was your teller ID?

Rep:

11583

Plaintiff:

11583,ok

Rep:

Ok

Plaintiff:

Is that all the information you can give me?

Rep:

Yes sir that's all the information I can give you.

Plaintiff:

Ok, so Minnie will call me back in 24 hrs what you stated.

Rep:

24 – 48 hours

Cleint:

Ok, I will look forward to hear from Minnie

Macris 3/16/2016 Part 1

Rep:

Thank you for calling Specialized loan servicing I'm Victoria, Can I have your full name.

Plaintiff:

Hi Victoria how ya doing? My full name is Mark Macris.

Rep:

How can I help you?

Plaintiff:

K, the reason for call is that I'm call up with regards to a loan, do you have my information up in front of you?

Rep:

Yes, what's your question?

Plaintiff:

Ok, ok your reporting this as a bank liquidation I believe for this foreclosure action.

Rep:

Are you talking regards to your credit?

Plaintiff:

Pardon me?

Rep:

We are reporting it, ok, so I would have to put you on a brief hold and transfer you to a different department we are not in the credit department.

Plaintiff:

Ok, what do you show me as being on this loan, can you answer me that? Or tell me that?

Rep:

The property is in foreclosure but no sale date.

Plaintiff:

Right. So you're still showing me as being on this loan.

Rep:

Yea, yeah

Plaintiff:

Ok, alright, who deals with um, who deals with credit matters and stuff like that because your attorney took me off of this it was signed by a judge so who would I talk to about this matter?

Rep:

Let me put you on a brief hold and transfer over to our executive service department.

Plaintiff:

Sure

Rep:

Ok give me a brief moment.

Hold.....

End of call.

Macris 3/16/2016 part 2

Rep:

Thank you for your serves my name is Ezequiel , speaking with first and last name please?

Plaintiff:

Hi Ezequiel my first name is Mark my last name is Macris.

Rep:

Thank you very much Mr. Macris, how are you doing today sir?

Plaintiff:

Good, how you doing today?

Rep:

I'm pretty good, thanks very much for asking. How can I help you today?

Plaintiff:

Ok, I'm calling up over um, in regards to this property. Apparently according to the credit, is that your still showing me on this loan and that it is in foreclosure.

Rep:

That's correct sir.

Plaintiff:

Is that what you show?

Rep:

That's what I show, yes sir.

Plaintiff:

Ok, your attorney , and the judge signed a Order clearing me of this. I have the paperwork right in front of me. I want to know why it is still being reported as me being responsible for this delinquency and loan? There's a court Order signed by a Judge clearing me of this.

Rep:

What's the name of the attorney Mr. Macris?

Plaintiff:

The name of the attorney the name of the actual attorney? Kurt Odenbach .

Rep:

The one that signed, the one that signed in the signed in that document sir.

Plaintiff:

The one that signed the document itself?

Rep:

Yes sir.

Plaintiff:

There's a Judge that signed it.

Rep:

No, um um, you said our attorney?

Plaintiff:

Yeah, that is your bank attorney. That is your bank attorney.

Rep:

I have the foreclosure attorney sir, attorney's telephone number, give this number sir, go ahead and contact them and advise them of that, you would have to go on and speak with them or either you can go ahead and do sir, is that you can go ahead and fax that letter you have over to us.

Plaintiff:

Ok ok, because I'm curious to why you are reporting me on this? because your bank attorney after I sent him all my documentation in regards to my divorce agreed to remove me from you guys and it went through a whole process it went to, it went in front of a judge and the judge signed the Order to remove me from this. So it not a, this is a court Order to remove me from this action and it's being reported by you that I'm still on it.

Rep:

Ok sir, let me a let me go and put you on a quick hold sir, to review this information and I'll get back to you Mr. Macris.

Plaintiff:

Yes sir.

Rep:

Thank you.

HOLD***

Rep:

Alright Mr. Macris.

Plaintiff:

Yes.

Rep:

Thank you very much, ok Mr. Macris, are you receiving statements? What are you receiving sir?

Plaintiff:

Ok, I'm not receiving any statement at all.

Rep:

Ok that's good

Plaintiff:

I'm not receiving any statements from you guys, um, I, the only , the last correspondence I received was the notice of commencement action of substitute mandatory electric filing which was the foreclosure process by the State of New York Supreme Court , County of Erie. That was from your attorney's office Davison and Fink LLP. Rochester Ny.

Rep:

Ok

Plaintiff:

I received that from your group, alright I sent to their office, the, your attorney that's assigned Kurt Odenbach. You have his information there?

Rep:

No no, I have a different name as Davison and Fink.

Plaintiff:

Right , that's the law firm.

Rep:

That's the information I have I don't have that specific .

Plaintiff: Right, Davison and Fink is the law firm that Mr. Kurt Odenbach is the attorney that was handling this.

Rep:

Ok, gotcha.

Plaintiff:

Ok, so what I did was that I responded to this action because I have had no legal rights to this property through my divorce. I sent him all of my documentation regarding my divorce and the attorney agreed that I am not responsible for this debt. So, through the whole legal process he went through and a Order of reference was filed back at the end of last year removing me from this signed by a supreme court judge in the state of New York.

Rep:

Ok.

Plaintiff:

Now, my question is why is specialized loan servicing still have me on this loan and why are they still reporting me as I am on this loan when a judge signed a Order?

Rep:

Ok , it's being reported to the credit bureau. It's still being reported to the credit bureau.

Plaintiff:

It's being reported to the credit bureau, yeah you need to remove me completely from this.

Rep:

Yes sir, would you please be able to send us a copy of your credit reports so we can review that, cause even thou you went through that relief and all sir. The account will stay on until it basically in foreclosure. It's foreclosed upon.

Plaintiff:

Ok but it can't ,because the Judge ruled me to be removed from it. A Judge did this not a, your attorney, I already talked to an attorney's about this, alright. Your attorney agreed to remove me from this, and it's remove and approved by your company an investor and signed by a judge.

Rep:

then there is probably just a glitch that went on, but send us a copy of your credit report so we can go ahead and review that sir.

Plaintiff:

Ok, do you have this Order of Reference?

Rep:

Well I have all the documents of whatever your loan has imaged in documents here sir I have that information.

Plaintiff:

Ok, but do you have this court Order?

Rep:

I'm pretty sure it's in the system sir.

Plaintiff:

Ok, why don't I do this, what I like to do is um, specialized loan servicing is reporting me as in foreclosure, delinquency right now with this and I don't understand why it's why your group is still being reported . why is it still being reported? This is a couple months later.

Rep:

Ok.

Plaintiff:

So ?

Rep:

Ok, so our internal department customer support er's here, they are the ones that handle the credit reporting . So that why send in your copy of your current report , along with our request to have that report that negative credit report removed that what we'll need.

Plaintiff:

Yeah by law you gotta remove it. I don't understand why it's wasn't done but?

Rep:

I know, but I can't remove it Mr. Macris , there something do an not do but in regards to this type of situation this does have to be in writing and sent over to our customer support .

Plaintiff:

Ok, Who can I um, ok I would rather email this to somebody and I would like your name please.

Rep:

Absolutely sir, we don't have email access to outside of the building but I can give you the fax number or the address and my name is, I'll spell it out for you sir, E Z E Q U I E L .

Plaintiff:

Ezequiel, ok that's your first name?

Rep:

Yes sir, and my ID is 04384.

Plaintiff:

04384. So, I can't email , there's a lot of documents here. I can't email there's nobody has email in your company?

Rep:

We don't have email access outside of the building.

Plaintiff:

Ok, so you have email access inside the building.

Rep:

Yes sir.

Plaintiff:

Ok, if I scan these documents I can't email them to you?

Rep:

Correct sir. There is no way we can receive them.

Plaintiff:

That's, ok, well. Then who do I send all this stuff too?

Rep:

It's going to be to our customer support, they are the one that handle the credit reporting and disputes and request of change .

Plaintiff:

Customer support. Ok.

Rep:

And there fax number 720-241-7218.

Plaintiff:

Is there a contact person that I can talk to once I fax this over?

Rep:

Anyone from the customer support , whoever is basically available to take those documents and work on them sir.

Plaintiff:

Ok. So, 720-241-7218?

Rep:

That's correct.

Plaintiff:

Can I ask you a question? What are you showing right now as far as the status of me in this loan?

Rep:

The information that I'm able to see is that the account is in foreclosure. There's, let see here. 2358 days delinquent . um , total amount due 143,631.97 the escrow shortage that basically the information I can see and a payoff quote that was requested on February 22.

Plaintiff:

Payoff quote?

Rep:

Yes sir.

Plaintiff:

Ok,well, alright, I don't know about the payoff quote. Long story short, I got divorced and um my ex-wife had rights to the house. I had no legal rights to the house. So I have not lived in this house for going on eight years .

Rep:

Oh wow.

Plaintiff:

So this has affected me in my credit for the last 8 yrs. Now that everything has gone down with it. Um, your attorney's have realized that I should not been on this in the first place. Due to all of this that's why they had to take it to a judge. First they had to take it to your bank then to the investors then say look we need to take him off of this. He's not even, he's not even part to it, legal part to it anymore. So the whole legal thing, I'm not an attorney I know your probably not an attorney.

Rep:

No sir.

Plaintiff:

The attorney's, the attorney's the bank and the Judge decided that I need to be removed.

Rep:

If they decided, Yeah, that's yeah, there decision. So yeah, having those documents sent over to have them off your credit report sir so that we can start working on this.

Plaintiff:

Right.

Rep:

There's obviously has to be some type of mistake on our side if that's the case sir.

Plaintiff:

No, right, it's it's kinda cut and clear here when a Judge signs an Order.

Rep:

Yeah.

Plaintiff:

I'll send you a copy of this Order, the Judges Order and a copy of my credit report and we'll start from there.

Rep;

Yes sir, sounds good Mr. Macris.

Plaintiff:

Ok. 720, what's the fax again.

Rep:

Yes sir 720-241-7218

Plaintiff:

Ok, alright, ok thank you.

Rep:

You're welcome sure, thank you and have a good day

Plaintiff:

Ok, good bye

Macris - 3/30/16 - part one

Rep: Thank you for calling Specialized Loan service, My name is Tyann Can I have your first and last name please?

Plaintiff: Hello, My name is Mark Macris.

Rep: Hello Mr. Macris, for the 403 Teakwood terrace. Amherst NY.

Plaintiff: Yes

Rep: Thank you, and real quick I do show here a good contact number for you is 716-289-7447?

Plaintiff: That's not my information

Rep: that is not a good contact number?

Plaintiff: No

Rep: Okay, Would you like to add an alternate number?

Plaintiff: Sure, 716-812-8224.

Rep: Okay, And the number 716-289-7447 is no longer valid.

Plaintiff: I don't know what that number is.

Rep: Okay I will have that removed. How can I help you today?

Plaintiff: Can you tell me what the account number is on this account?

Rep: The account number is 1008702479

Plaintiff: Okay, What do you show the status of this account as being right now?

Rep: This account is showing in foreclosure.

Plaintiff: Ok. I need to email you some court documents about this account. Is there a good email I can email these to you?

Rep: I can give you a fax number

Plaintiff: I don't have a fax machine. Is there an email account I can send them to?

Rep: I can get you to executive services and maybe they have an email address they can give you.

Plaintiff: Yeah

Rep: Because you have court documents, you said.

Plaintiff: Yes, with regards to me on this account

Rep: okay, just one moment.

END

Macris - 3/30/16 Part Two

Rep: Thank you for calling Executive Services, this is Otilia. May I have your first and last name?

Plaintiff: Hi, I'm Mark Macris.

Rep: Thank you Mr. Macris, One moment. I'm just going to look you up real quick. Just to confirm a good contact number. I have a home number of 716-812-8224 is that correct?

Plaintiff: Yes that is correct

Rep: and how can I assist you today?

Plaintiff: I need to send you some court documents in regards to this account. I don't have a fax so I have requested an email to send these documents so there is proof that you received them. Apparently, no one has an email address that I can send them to. Is there an email there at Specialized Loan Servicing that I could send these documents to?

Rep: That is correct sir. Pretty much it is either doing to be faxing them in which you would have proof because you would be send a confirmation. Or you could mail them certified and have a tracking number. I would go that route. But no we do not have an email address to provide you.

Plaintiff: Your company doesn't have email?

Rep: We do but not for outside emails. It's for internal use.

Plaintiff: ok. So I cannot email these documents to your office because I have received them via email from your attorney at your office.

Rep: Correct, our attorneys have email but not SLS. And the attorneys office is the one where you would be sending those documents to not SLS.

Plaintiff: So the attorneys emailed me the court documents in regards to this, okay, because I am elevated from this debt that was signed by a judge and your office is still reporting that I am delinquency and foreclosure on this account.

Rep: Ok

Plaintiff: So Davidson and Fink didn't send you these records, it's a court order elevating me from this debt. Its signed by a judge.

Rep: I understand that sir.

Plaintiff: Okay, so there is no way I can forward this paperwork over to you?

Rep: there is by fax or by mail. Not by email to us. Now you can probably send that back to Davidson and Fink by email.

Plaintiff: ok here is my question. You have to obviously follow the rules by your attorneys and the court. So why is it still being reported? when this document is signed last year that I am being elevated from this action. I have the email right in front of me.

Rep: From Davidson and Fink?

Plaintiff: Yes. Davidson and Fink is your attorney.

Rep: Right

Plaintiff: I sent them all my documents and Davidson and Fin had sent all this to your office and they have approved to remove me from this. I have a court document signed by a judge that approved this. Now your reporting still that I am still on this loan. Why and I still on this loan when this order was done last year?

Rep: Is it regarding a bankruptcy that was discharged or what is it, how did the courts get appointment that?

Plaintiff: ok, I have no legal right to this property from my divorce. I have not had legal right to this property for a number of years. This information was sent to Davidson and Fink when this property went into foreclosure. Davidson and Fink annualized the paperwork. The attorney's name is Kirk ?? (recording was muffled) He annualized all the information and agreed that I need to be taken of this case from your company based on my divorce decree. So through this process they had to go to specialized loan servicing and their investor. Kirk corresponded with your company to remove me. And it has to be done through a court of law. So Davidson and fink had to file a motion with NYS to remove me from this. I have that court document elevating me. This was done last year. According to my credit you still have me on this. This is a whole legal thing. This is not something you can ignore. I don't understand why SLS is still reporting me when there is a court order removing me from it.

Rep: okay, now that you explained to me a little bit more of what your documents you want to send to us is in regards to. Yes you will be able to mail or fax them to us. Well as far as I know, based on how they train us, anytime your name or a barrower is going to be removed from a loan which is a lean the note, it needs to be refinanced. It won't remove your name from the lean, the lean stays as is unless it is refinanced. But again I do hear what you're saying. I can't just go in there and take your name off there based by what you're saying. Those documents you have do need to be submitted to us. And you explained to us....

Plaintiff: I'm not an attorney, but I had one look at this. By law your attorney went to court to remove me. The court said yes. So I don't understand where your coming from with a lean? It doesn't matter. If a court says to remove him. Your attorney who you have assigned to the case went to court and the judge ordered to remove me. You have to remove me by law.

Rep: And you have those documents sir so those are the documents I am advising you to send in either by mail or fax.

Plaintiff: Ok, Do you have those documents? I don't understand why you don't have those documents.

Rep: Well, I don't have access to everything. We might have them but they might be in a different department who has them.

Plaintiff: Okay, is there another department who handles this?

Rep: It probably does. That's why you would need to submit it in writing sir because there is a department that handles situations like yours that handles things behind the scenes. Like not with an agent over the phone with info being sent in by mail and they have access to everything. Which I don't. So that's why based on what you are saying you have to submit that to us in writing and I can only provide you verbal info up to a certain point. So you would need to submit those in writing to us

Plaintiff: so I can't email these?

Rep: There is no email address I can provide to you. It has to be mailed or faxed.

Plaintiff: Who do I need to send these doc to and who do I need to follow up with. I'm not trying to give you a hard time but this is a court order that needs to be addressed by your office that was done by your attorney.

Rep: I understand what you are saying. You send it to SLS, attention to customer support, the date, Go into detail of what you need us to do and sign and date it and we will call that department that it will be sent to, to work on it will follow up with you with a written letter. You can call us if you like, to see if its pending, to see if anything in our system shows anything has been sent out to you but pretty much. You send something in writing you will get something back in writing.

Plaintiff: And how long is the process on that?

Rep: It's less than 30 days.

Plaintiff: ok, What is the fax number?

Rep: it is 720-241-7218

Plaintiff: and May I have your name?

Rep: Otilia

Plaintiff: And that is your first name?

Rep: That is correct

Plaintiff: Okay can I have your last name please?

Rep: I can give you my teller number.

Plaintiff: So you can't tell me a last name so I can reference who I'm speaking with? Because attorney asks for all this stuff.

Rep: That is correct. I can give you my first name and my teller number only. My teller number is 04904. As long as you have this number you will be able to reference me.

Plaintiff: Your only office is in Colorado?

Rep: Our main one, yes.

Plaintiff: the main office is in Colorado

Rep: yes that's correct.

Plaintiff: Ok you are showing Davidson and Fink as your attorney on those accounts.

Rep: Yes, for foreclosure, yes.

Plaintiff: okay but you have not received any correspondence from them in regards to this account?

Rep: I would need to check, um.. Again I don't have access to everything. Give me one - two min okay.

Plaintiff: ok

Rep: Okay sir thank you so much. So based on what I have access to. I don't see anything like that. But again it doesn't mean I don't have it.

Plaintiff: okay, I'm sure somebody in your office had it. Alright, bc this was done last year. I will fax this document with a letter and I will follow up on it.

Rep: Very good

Plaintiff: so are you showing this loan number at 1008702479?

Rep: Yes

Plaintiff: One more question. When these types of actions take place do you generally receive this information back to your office?

Rep: State that again.

Plaintiff: When these types of things of removal are don't through a court. Do you generally receive these back to your office to make amendments to these accounts?

Rep: We would hope that the customers would send that info into us, yes.

Plaintiff: No, I want to know if attorneys and the courts. I'm not talking about me.

Rep: So you're asking if the attorney sends that info to us so we have it on file?

Plaintiff: Correct

Rep: More than likely attorney and we are two separate entities. So what they have will not necessarily we will have.

Plaintiff: Ok so these attorneys in Rochester NY once this is done, they aren't going to send this information off to you? So you can update your system.

Rep: Well, he is the thing. When the loan goes into foreclosure. It gets an attorney from SLS's end. And all communication has to go through them. And they take ownership of the loan. So it's not that we are completely out of the picture but the attorney is the one handling it.

Plaintiff: right and I have been corresponding to your attorneys since last April about this and showing my court documents about this property he looked at all of it and he said no you don't have to be privileged to this. Based on your divorce decree. So he went through the process to remove me from the loan. And if had to be signed by the court, by the judge for approval. He had to go back to your investors for approval and everything else. To remove me. So that's why I have to wait to get these court docs but you are still reporting me on this.

Rep: Well your name has never been taken off sir.

Plaintiff: Well there is a court order saying that it can be taken off now

Rep: I'm aware of that but based on all the information given to me and the attorney that is handling this through SLS has it our system isn't reflecting it because your name is still on the lean, on the note, on the account. Again all I can state, is when a loan has gone into foreclosure an attorney has been assigned to it to take over it. All communication and info goes through them. We can answer some questions but anything regarding that would have to go through the attorney.

I understand how you got the documents sir, I'm just trying to answer your question. If he has it and never sent it to us your name is still on the loan.

Plaintiff: That's why I'm going to submit all this paperwork to you. Okay, I will get this faxed over to you.

Rep: ok, very good sir.

Plaintiff: have a good day.

Rep: you to sir. Bye.

END

Macris 4/20/2016

Rep: Alright I'll tell you what, I see with Catherine has an email at Yahoo. Do you know her email? I'm just trying to –

Plaintiff: How do we – how do we – how do I know that you are Specialized Loan Servicing?

Rep: That's, that's – Mike, you can call me back. I can give you a phone number. I agree with you if you don't feel comfortable. I don't mind. But, you know, that's why 'cause obviously I don't want to give any information. I'm just making sure it's Mark because you're all right, I have sensitive information to go over with you.

Plaintiff: Okay why don't we go over the information?

Rep: No, I need to, I've already verified one non-public information which was the last four of your social so the other thing is I need to do two of them to make sure it's the right person. That's why I was saying do you know Catherine's email? Because you know, somebody –

Plaintiff: I need to know what her email is?

Rep: Yeah, they won't know what that is.

Plaintiff: Um, it's well, um, e-mail's not –

Rep: At Yahoo. It's the Yahoo one.

Plaintiff: CSchaefer.

Rep: Yup.

Plaintiff: CSchaefer. Yahoo.com.

Rep: Do you know the three numbers that come after her name?

Plaintiff: Uh it's 399 I think.

Rep: It is. You are correct. I appreciate it. Yeah, thank you very much for doing that. I'm [indistinguishable] with the Short Sale Department, we do Short Sales and Deed in Lieus. Yeah, sorry about that, it's just that we don't want to be providing information to somebody who's not you. And so that's why we're going a little bit overboard and making sure that it's the right party.

Plaintiff: Right.

Rep: Now in my department this is assigned to Anthony, you know, and he's another one who does the Deed in Lieu, the Short Sales with me. Tony is normally here Monday through Friday, your time, it's

pretty normal, it's 8:00 AM to 5:00 PM. You're saying that you're not doing a short sale. Are you interested in doing a deed in lieu? Was that the resolution you were trying to find with us?

Plaintiff: Okay, where is all this correspondence coming from?

Rep: Well the only way for you to come to my department was that you had sent in an application for assistance for help. And then so the application says that you either want to sell the property, keep the property or look at like other ones and on the 18th it says here that we received an application.

Plaintiff: An application for?

Rep: Assistance. Ah, it came from Catherine. Got ya. That's why. Catherine sent us this.

Plaintiff: Okay.

Rep: Alright so. I don't know what she's doing. But if she's trying to sell the property, keep the property or what but just to let you know, we did receive... Are you and Catherine divorced?

Plaintiff: Yes. We are divorced.

Rep: Got ya. Okay. Got ya. So that could be the issue right there.

Plaintiff: Okay. Well, okay. To make a real – I guess, to make a real long story short.

Rep: Yeah.

Plaintiff: I have no legal right to that property.

Rep: Correct. That's what I was gonna ask you. Did you give it all up to her?

Plaintiff: Well, that's correct.

Rep: Okay.

Plaintiff: And I am going to be sending you guys, 'cause I've already spoke to your Executor Department with regards to my obligation on this mortgage.

Rep: All you would need is quick claim deed, if you can do this, just sign a quick claim deed with the divorce decree and she can do it by herself.

Plaintiff: Well here's what it is is when this property went into foreclosure, when this property went into foreclosure, the attorney, your attorney, Davidson Fink, are you familiar with them?

Rep: Uh, we use different ones, but go ahead, yes, you're right, it is Davidson Fink, yes sir.

Plaintiff: Right, right. I sent Davidson Fink, when this all started last year, a copy of my, copy of my divorce decree and their attorney, Kurt Odenbach, who is your attorney that represents your company with regards to this, when I sent him my divorce decree, he sent me an email that says, no you shouldn't

be a party to this, and this went to court, this went to court back in December and a Judge signed an order alleviating me from this action. So you guys shouldn't even have me on your account.

Rep: Actually you know why? The reason why is because you don't solely own it already, so I'm reading your divorce decree and it has stipulations to her owning it. The stipulations that you guys agreed upon was that the wife shall have exclusive use and possession of the residence until twelve months from the date of the full execution of this agreement.

Plaintiff: Correct.

Rep: In the event that she remarries or cohabits with another unrelated person, the exclusive occupancy of the marital residence shall immediately terminate. So when did you guys sign this? Has it been more than twelve months, do you think?

Plaintiff: When was that divorce decree signed?

Rep: Oh! 2010. Yeah.

Plaintiff: 2010.

Rep: So believe it or not, you guys actually have a stipulation in your divorce decree that puts you back in responsibility spot for the property and so it says that after twelve months from the date that you guys signed that, that her exclusive use and occupancy of the property terminated. You actually, so you actually, I don't know why they did that, but they don't always do that but sometimes they will but they actually put a time frame in of twelve months that she should have tried to sell the property and she had the right to do it for twelve months or if she chose the course like I was saying to remarry or cohabit with a different person obviously she also would have had it terminated at that point. So that's what's happening. Just so you know that's why they're still asking for you to be involved. It's that we actually -

Plaintiff: Okay, I -

Rep: So what would you like to do?

Plaintiff: Let me, let me, let me, well let me, let me, let me backtrack a second. Let me backtrack a second. Now there was, there was an amended and a restated note on this account but it was back with Bank of America. Its original note was signed to Thompson and Nate on this house. To Thompson and Nate. Now there was a new note, new note, new note that Catherine did and Catherine signed. I, by law, am not allowed to sign an amended or restated note because I am in the middle of a divorce. I cannot make any adjustments to life insurance, loans or any values so I'm not even on the current note.

Rep: Well let me ask you this.

Plaintiff: I had no idea -

Rep: Well, here's the thing. Because, well, the note is different. It's not showing up on title or the deed, I understand. So we hold your note. Like we house it and we can send you copies if you ever request it,

but to my knowledge the only way to be removed from a note is through refinancing of the loan because that would satisfy the original note and allow you to have a new person produce a note by themselves. But if you do not refi, you actually would still be on the note. Do you remember if you guys used refinance to remove you?

Plaintiff: Okay. Okay. That was not up to me because by law, I am not allowed to sign anything when we are in the middle of a divorce. I cannot sign any amendments to anything.

Rep: She couldn't either, though. She couldn't have gotten rid of it by herself either, though.

Plaintiff: Well, she signed it so that's her. That's me. I can't act on her behalf but I've already talked to an attorney about all this here in Buffalo. And according to their recommendation, I shouldn't be privileged to any of this because not only did your attorney look at my divorce decree, he agreed that I shouldn't even be privileged to this action. Now he took that information to Specialized Loan Servicing and the investor for all of this and they turned it over to a court and a Judge. A Judge signed an order removing me from this. You know that, right? I'm not trying to give you a hard time but you know that a Judge signed this order.

Rep: It's not about the Judge. This is about Catherine is trying to do something. Do I have the ability to do it or not? All I care about is you know to sell the property. There's things in here that legally you have the right or you don't and all I gotta make sure is that I cover that. That's it. I don't want you to have to stress yourself out and be more involved than you have to be.

Plaintiff: Well, you guys are recording me on this loan. By law, you need to remove me.

Rep: No. It's not. You see, here's the thing. It isn't a legal transaction to just remove you from the note that way. You can't just go to a court and remove you. You have to satisfy the note. You know what I mean? Which is -

Plaintiff: Well are you an attorney?

Rep: No. No. Here it is. I don't even want to argue with you about that. What I'm gonna say is that I'm not gonna worry about discussing that kind of stuff with you. If you don't feel comfortable with doing the short sell, I don't mind. But I will just let you know that I can't continue with Catherine and that's fine as well but the reason is that we don't agree because there was that one part that states that she had a time limit to do this which was six years ago. And they only gave her one year. It's just we don't feel comfortable with the verbiage that we have. It's gonna allow us to liquidate the file without having you involved. So we don't mind. We're not arguing with you that you have to do anything. We're just saying, we were just checking to see if you were willing to cooperate to see if we can't get this done for Catherine but it's not a big issue. Um.

Plaintiff: Okay.

Rep: I do appreciate your time.

Plaintiff: My issue is that I have a couple issues. Number one, I haven't been in that property in almost eight years, okay?

Rep: Mmm-hmm.

Plaintiff: There is a court order done through a divorce where she was responsible for the house, the payments, everything like that, okay? That was fine by us and that was fine by a Supreme Court Judge. Alright? Whether she lives up to that agreement, she has to, she agreed to that, alright?

Rep: I agree with you.

Plaintiff: When I signed that paperwork, I have no legal right to the property. I don't. So and all of this is nothing but a big mess on my part because you guys are reporting on my credit that I have to keep this -

Rep: Well it's a valid report from the divorce decree. Most divorce decrees that I have it's the verbiage that they are solely awarded the property. There is no stipulation.

Plaintiff: Okay, okay. So. Why would, so here's my question. Why would your attorney Davidson Fink agree with me to drop me from all of this and why did it get taken to your investor and the investor agreed and then it went to a court and the Judge signed the order, a Judge, not a, a Judge, a Judge signed an order removing me from this. Now why are you trying to -

Rep: I understand what you're trying to say this way about the courts and stuff, I understand what you're saying. But the Judge still cannot legally force someone who gave you money to remove you from the note. To satisfy the note. What you're saying is that there's a court order which allows Catherine to go and take the person who gave you money and say "Oh, well. Only Catherine has to pay this back." The note was never satisfied. Yes, you can go through a divorce decree. What you're awarding Catherine with is who is responsible or liable for the actual note because you are correct. It's not the property. It's the note that you're worried about. And I agree with you there. Okay? I agree with you. But most divorce decrees when I'm reading it, what they're talking about is that it says this property was solely, S-O-L-E-L-Y, solely awarded to like the wife. Again, it will say that the husband has like no responsibility for this property, it is like nothing, like there is no stipulations to it or nothing. It's just that it awards the property -

Plaintiff: Okay. That, that divorce decree, that divorce decree is back from 2010.

Rep: I know.

Plaintiff: That divorce, that's old. Alright? The new stuff out. Like I said. Do you have that order of reference?

Rep: The divorce decree? Let me pull it up for you.

Plaintiff: No. No. Do you have the order of reference that was signed by Davidson Fink?

Rep: That information you would, that's, again, different scenario. I will be dealing with you. You would have to send that to my litigation department. And you would have to deal with them in that sense. What I'm here to do is just to let you know how I could either release the lien or not. Like I just need the file to be this way so that when they ask me to release the lien to their new person, the new owner, it's clean and the new owner gets the property. And then I look at the file and I just tell you what I need and how I can set it up to where –

Plaintiff: Right.

Rep: You know, where it's time for county to go liquidate there's, the county doesn't run into any issues and you don't get a phone call saying "Hey, hey Mark we couldn't do this" down the road. You know, and that's why I'm going over all this type of stuff right now, it's just that as it stands what I think would happen is that we would go to county and try to sell it to liquid, for the new buyer, and then I would think they would come at you and tell you that hey we couldn't sell it because we think you're still the owner of the property. I was just trying to cover the bases before you come to that point down the road, and again, it was just having to deal with them not feeling comfortable with how they wrote this divorce decree and put it together without the sole award and that was it. I understand where you're coming from. I just, you know. That's it. Either way. I'll go forward either way you wanna go.

Plaintiff: Here's my thing with it is that that according to my attorney over this, I shouldn't be on this anymore. According to Davidson Fink, who you hired, I shouldn't be on this anymore. And according to Davidson Fink, and let me see, the other person's name here, um, there's another person here.

Rep: I would just have to say that we would just dispute, like my department would go like if the litigation, and this is what they would do, they would send me an email saying "Hey, they're asking me about this. Why is it this way?" And I would answer my litigation department with "This is why we're having issues." And then I would give them like a screen shot of the divorce decree and then they would look into it, you are right, they would look into it, they would review it and see if it's accurate or not. But the dispute, I actually have a dispute fax line if you want it, that you can actually send that into.

Plaintiff: Why can't I send an email?

(cross talk)

Plaintiff: I asked to send an email to your company and they're like, we don't have email.

Rep: No, we do have email, but we do different things. The dispute department, they go off of a fax, but I do know that if you have a dispute you can put "Dispute" in the subject of your email and they will still send them to the dispute department.

Plaintiff: Okay who should I send this email, who should I send these documents to?

Rep: You can do it to the CR Docs, that's fine, our email, it's an abbreviation for Customer Resolution Documents, so it's C-R-

Plaintiff: R?

Rep: Yes, and then its D-O-C-S for Documents so it's C-

Plaintiff: C?

Rep: Yes.

Plaintiff: Charlie Robert David -

Rep: Oscar.

Plaintiff: October. Charlie.

Rep: Steven. Perfect. Exactly. Sorry. You actually got that very right. Most people don't, so it threw me off. I apologize.

Plaintiff: Charlie Charlie Robert David Oscar Charlie

Rep: I'm sorry, I'm sorry. Let me turn my – You're right. Let me turn my volume down. Okay go ahead.

Plaintiff: Okay. Charlie Robert David Oscar Charlie October S like Sam. Is that the email?

Rep: You went from Charlie to September, right?

Plaintiff: Okay, just repeat the whole email.

Rep: Sure. I'm going to do it just like you did. Okay? Charlie Roger David Oscar Charlie Steven. Okay?

Plaintiff: Okay. At?

Rep: S-L-S. Or Sam Larry Sam. Dot net.

Plaintiff: S-L. Okay. S. Sam Larry.

Rep: S. Yes. Sam Larry Sam. Dot net.

Plaintiff: Dot net.

Rep: Yep. Use your account number. Everything is by the account number. Keep in mind, no matter -

Plaintiff: Right. I got that.

Rep: Okay. And then just under put a Dispute, put the Dispute, and then put, just put like you'd put in there, say, please review the file. I'm, you know, the divorce was awarded, duh duh duh duh. Say the short sell department is arguing and then just put it in there and then say I spoke with, you know, Davidson Fink on this date. The short sell department, you know, is requiring me to fill out documents because they say that the divorce decree is not covering what they need. Please advise me how do I go forward, what do I need, please review this for me and tell me how to proceed. And what they'll, and

what they'll do is they'll actually assign you somebody who is a dispute specialist and they'll actually just go through there and they're gonna review everything and they're gonna ask, just like you're saying, just why they said their part of it and why they believe it's that, and they're gonna ask us why we believe that it is the way that it is, and everything and then they'll answer you with um how to move forward and hopefully it'll help us.

Plaintiff: Well, I'm gonna email this document off. The other people that I spoke to about it said I needed to talk to the account, that this information needed to go to the account services department and they gave me a fax number, a fax number.

Rep: Yeah.

Plaintiff: So my goal here, this is my goal. Whether it be or not. Davidson Fink, your attorneys, I sent them my divorce decree. Just to rehash this. I sent them my divorce decree. Now their attorneys, their attorney, not somebody, not a loan specialist, the attorneys looked at my divorce decree and they agreed, they agreed with me that I should not even be part of any of this foreclosure action or this account shouldn't be with your office. And that's based on my divorce decree and their interpretation of the law. Now –

(Cross talking)

Plaintiff: They had to –

(Cross talking)

Rep: Well, we get them to receive quite often, um

Plaintiff: Right.

Rep: Because, you know, there may be, what it is is, they just may not be considering what we're talking about from our aspect of it, but you are correct. Sometimes, you know, we are also corrected as well so you know, you never know which –

(Cross talking)

Plaintiff: Well, this attorney, this attorney, this attorney went back, had to go back to your company, Specialized Loan Servicing, um, and talk to them and talk to them and talk to your investors and all of that and I have a name here on this order of reference, a Cynthia Wallace?

Rep: Mm-hmm yeah it's still a different –

Plaintiff: I don't know if you're familiar with Cyn –

Rep: I'm not. It's a different ??? from me.

Plaintiff: Right, who agreed also, also that I shouldn't even be on this so because I think that I'm –

Rep: Let me ask you this.

Plaintiff: What?

Rep: Can I put you on hold real quick and have just the manager read it with me and tell me what they think? Do you mind if I put you on hold real quick just to see what the manager reads the decree real quick and see what he says? 'Cause maybe he can give it attention to have somebody ignore that request, you know what I mean? If he agrees with you.

Plaintiff: What re-, what re-, what request?

Rep: For your document. The reason is why is because they're asking us to go after and ask you for your document because of the divorce decree so what I'm saying is that if you let me put you on hold for maybe two or three minutes, I'll have someone come over and

Plaintiff: Sure.

Rep: Okay and just ask him if he thinks that he can move forward with it, and if he can, will he give me his, um, signature on the form that will allow me to just skip all this but he may agree with me, and I'll let you know what, I'm not gonna say nothing. I'm just gonna let him read it and I'll tell you what he says what he thinks about the ???

Plaintiff: Fine.

Rep: Okay. Perfect. I appreciate it. Bear with me, Mark. I'll be back.

Plaintiff: I appreciate it.

(Silence)

Rep: Okay. The, it does not provide the verbiage we would need in order to ensure we could liquidate the file without your information. That's the only issue we ran into is that, in the end, liquidation is gonna look at it and say "I need to have Mark participate in order to get rid of this so that we, there is no liability there for us." So um I would send in your dispute because that's what's happening is that the system in our department, when we look at it, it's just, can I get rid of the loan for you? Once it hits my desk, can I move forward and liquidate it? Um, the divorce decree –

Plaintiff: Um -

(cross talking)

Plaintiff: What are we trying to accomplish here?

Rep: They want you to send in the same type of documents that Catherine does. Now you don't have to

Plaintiff: What's the documents?

Rep: It's the, it's the Application for Assistance. Um, it's, it's uh, it's Making, it's the Making Home Affordable packet off of our website. It's basically gonna ask you for your application, proof of your income, so if you have paystubs and things like that it's just gonna ask you for a recent 30 days' worth. Um, and then um your application that agrees that you're saying that, you know, you agree to sell the property. Um, it'll ask you for, like, your tax returns or a document which we can go after your tax returns. We would underwrite you and we would underwrite Catherine and then once we go through the table to try to close the deal if we can get a good offer on the table you would have to put your name on the closing documents also to allow us to uh clear title for the buyer. So we're asking just basically to turn in an application just to allow us to underwrite ya, so that we can sell your house to a new buyer, and then you would have to sign the closing documents as well to allow us to do it.

Plaintiff: Well, me signing all this, all these documents, that means that I agree with with me being, that I own this property.

Rep: But take into account -

(cross talking)

Rep: Yeah. Correct, I understand. And I agree with what you're saying because with everything you went through, it would be, you know, quite quite easy to consider that you shouldn't have any responsibility, but the way that we would end up coming back at that and the reason that we have an issue is that, um, the note that Catherine signed still has your name. The reason why it's, you know, even though you didn't sign it, I don't know why they, they tried to do that, but the reason why you know -

Plaintiff: That note, that note, that note that was signed in 2010. The note that was signed in 2008 was when we were married. The note that was signed in 2010 is when we were going through a divorce. Now -

Rep: But -

Plaintiff: Now the note that was signed in 2010 was approved by Bank of America.

Rep: But do you know a note is satisfied, like do you know like how to take one note and the process to go through from taking one note, making it no longer a valid note and then opening up a new note and then making that the note attached to the property so that, I mean, I'm just asking are you like familiar with that process though?

Plaintiff: No, I don't, no, I'm not.

Rep: Okay.

Plaintiff: I'm not a banker, I'm not an attorney, I don't know if you are, but, I have no idea.

Rep: Well when you get the note, and it has that you know whatever, let's just say you get a note for \$1,000.00. How that thousand dollars is met, that note can't be satisfied, in order for you to satisfy, that's like when you refinance, they tell you to do this, we're gonna refinance to lower your rates to this

amount, we'll refinance, what they actually are doing, they're taking the money, they're paying off the original note, and they're striking a new note with you which is why you may see this –

Plaintiff: Not with me, I didn't sign it. I didn't sign it.

Rep: I know. I'm just bringing you up to par on what the process is as to what I'm saying as to why the note that was struck with Catherine is not valid. We never received –

Plaintiff: Why?

Rep: ... satisfaction for the first note that you and Catherine are both on. There's no way, because the only way to satisfy a note is to meet the amount that's there um of course or there's write-off abilities, like you can write off a difference if accepted but there's an amount that shows accepted from the note. They didn't do that. So there is no second note with Catherine that's valid. The only note that is actually valid on the property –

Plaintiff: (indistinguishable)

Rep: ... is the original note.

Plaintiff: Well why did a bank, why did a bank officer say it's not valid?

Rep: It's not, the one that I have isn't an official –

(cross talking)

Rep: Yeah, I would tell –

Plaintiff: Well why did a bank officer, why did a bank officer sign it then?

Rep: Yeah I will tell you that if you, again, ask for the information through a dispute I think that a lot of what you're gonna find out is there's a lot of missing processes that would have, that would have done what you're asking, but when you went to the court to get your divorce, they should have petitioned the court for sole awardance. That right there should have been the very first thing out the gate when they knew you were gonna move out of the property and give it to Catherine. They should have asked you. There should have never been stipulations to you ever being able to get back into the responsibility of the note.

Plaintiff: Whatever, whatever, whatever, yeah, we can go round, round and round on this but whatever the divorce decree says is what the divorce decree says. Now –

Rep: Yes, sir.

Plaintiff: Would an attorney look at it and interpret, it's like calling the IR, it's like calling the IRS up about a tax rule –

Rep: Right.

Plaintiff: And I can guarantee you if you call the IRS about a tax rule, if you call them three different times, you're going to get three different answers.

Rep: But I do, well I interpret for attorneys all day, too, though, it's not just, you know, on this file in my department –

Plaintiff: No, I know.

Rep: You know, that's actually one of our job descriptions, we'll open the documents and I get calls from attorneys all day and they'll say I need to know where in your document can I interpret this type of information and we go in there, you know, and we, we interpret the document for them and they'll say thank you and they'll move on, so you know, we do, we do that type of work as well. It's not guaranteed accurate, but we do it.

Plaintiff: Okay, well, lemme, lemme ask you one question.

Rep: Sure.

Plaintiff: Lemme ask you one question.

Rep: Absolutely.

Plaintiff: Okay, now an order of reference, you're familiar with what an order of reference is, right? On a, on a mortgage premises?

Rep: Yes.

Plaintiff: Alright. Now us being, myself and Catherine being on this, on this mortgage on Teakwood Terrace, now if your company, Specialized Loan Servicing, and your attorney agrees that I am not a defendant in this anymore, what exactly does that mean?

Rep: That at that time, the information that they were provided, that they agreed with you, but again, it's not that, it's just that I want you to understand that, um, you're talking about a department where we are also a part of their review and, you know, um, we can bring things there to light –

Plaintiff: Well what –

Rep: Just, you know, different things that they're to consider. Um, the information that we can bring to them is like, hey, look at this part, again because just like you were saying, there's an interpretation, um, aspect of it. Well, we're interpreting [sic] it from the liq, well, what do I need to liquidate your file?

Plaintiff: Okay, so –

Rep: You were asking them to interpret it from, are you responsible for the house, like you were just asking, am I responsible because you were just looking to move forward with your life. So you don't have to, and I'm just saying that so when they looked at it, maybe that's the information they provided, maybe it wasn't, I wasn't there, that's not my department, I can't tell you that but what I can tell you is –

Plaintiff: But –

Rep: Um -

Plaintiff: But when your, but when your, but when your company agrees, your company agrees about it –

Rep: I am my company. You know? I am my company.

Plaintiff: Your, your, your company agrees that I shouldn't be on this anymore. Your company. But I, not anybody else, but your company agrees that –

Rep: We, don't though.

Plaintiff: ...I shouldn't be on that –

Rep: I dispute that. And I am my company, so I agree what you're saying, so like one branch does agree, but we, we are the, the ones that, um, would be able to actually do an alternative, different ways of getting rid of the note for you. That's what we do. And whether it's, you know, um, to tell you that you can go talk with someone who can refi through a short sell short negotiated payoff deed to lose, any way to satisfy the note, that's what we do in my department. And so, um, when we're telling an attorney, when they, when they send us a dispute upstairs saying what do you guys need to do, and you know, whether it be from the legal side of it or from documentation sides, dispute aspects of like what have you, what can you say to a person, we get that type of information and we are part of that. And so if they were to send me this again and ask me this, now I'm not sure your agent, again now the agent who would answer this is Anthony, but when Anthony gets this and what'll happen is they're gonna ask them why do you guys, why are you guys telling Mark he has to be part of this is what our attorneys are gonna ask us. Why are you telling Mark, and we're gonna pull up the divorce decree and send it to them and say we, we understand that, you know, the situation but we are worried about this aspect of the divorce decree stopping us from liquidating the file. They will then review it, and they may come to you with a different opinion, saying we've spoken with them and this is why, this is why they're having issues. They look at in this instance and maybe they agree with us. Maybe you're right, maybe they don't agree with us and they come back to us and tell us, well, this is how we see it. But I'm just telling you that what's stopping this file now from going forward is the fact that we need to clarify that aspect of it. The way that everything looks is that we, in our department, are telling them that we would have a problem, like we would go to sell your house and your, your court, the county, the recorder, the liquidation department, all of them would say, I need Mark on this to do it. They won't let it do it.

Plaintiff: So I should, in other words, so in laymen terms, if I don't agree and sign any of this stuff, you won't, you won't agree to sell this house.

Rep: Correct. We could –

Plaintiff: Is that what you're telling me?

Rep: Correct. We have to have you with us on board. And if not, we will just see, you know, what other options we have. I mean, there really won't be much we can do. Any options that Catherine tries to do, we would need you to be with us as part of it as long as it's in this type of status. So –

Plaintiff: Alright. So. I'm sorry, your first name was?

Rep: My name is Benjamin.

Plaintiff: Benjamin. Benjamin, can I have your last name?

Rep: Um, yeah we do ID numbers. Mine is 10309.

Plaintiff: 1,0-

Rep: 309.

Plaintiff: 309.

Rep: And then I'm a part of the Customer Resolution Workout Department.

Plaintiff: Okay. So if I, if I, if I tell you guys look, you could, I mean, if I tell you guys, look, you could problem solve all you want, I don't, I'm not a payor, you won't, you won't sell the house. You won't agree to sell the house.

Rep: Nope, nope, you're [indistinguishable].

Plaintiff: That would be, that would be the question.

Rep: Yeah, we'd just say Mark, Mark has decided not to participate and we would move forward it. It's just, I mean, you know, that's it. You either, either we can or we can't. That's how we look at it.

Plaintiff: So if I, if I, if I tell you guys, if I tell you guys look, I'm not participating, then you won't, you won't agree for Catherine to sell the house?

Rep: Correct.

Plaintiff: Okay.

Rep: Correct.

Plaintiff: This is what I, this is what I need to do, Benjamin. And I respect your team and your knowledge and all that stuff. I need to talk to my attorney about this, to be honest with you. Yeah.

Rep: I understand.

Plaintiff: 'Cause, because I won't do absolutely anything or participate whatsoever without my attorney knowing about this.

Rep: Yeah, of course.

Plaintiff: And I'm not doing it until I, until I talk to them.

Rep: I'm with you. No, I'm the same way. I'm with you. Having informed information, it matters.

Plaintiff: And, right.

Rep: I agree.

Plaintiff: I have a court order, I have a court order here that's signed by a Judge in New York alleviating me from your action that was signed by your attorneys and your, and your company.

Rep: It doesn't –

(cross talking)

Rep: ... the property off to Catherine, it does not once say that you are no longer responsible for the property. It says that it was given to her, um, with the twelve months which is basically of exclusive, of exclusive ownership but what it forgot to put was sole, the word that the court uses?

(Cross talking)

Rep: ...sole responsibility but they didn't use that. They put, you know, exclusive ownership. So it's different. It's not what you're thinking it is.

Plaintiff: Well, some attorneys, some attorneys, some attorneys or some judges might look at it in a different aspect. 'Cause to be with honest with you, If I don't get what I want, I'm not gonna be a jerk here, I'm a professional person, if I don't get what I want as it relates to all this, there will be court action from me. From me against whoever I need to do it. That's just the way that I look at it.

Rep: That's fine. That's fine. What I'm gonna do now is I'ma [sic] go ahead and I'ma [sic] stop calls from SLS and I'ma [sic] have them go out to you, and there won't be any more calls. I'ma [sic] send out a request for representation from your attorney, um, do you have your attorney's information today that I can –

[cross-talking]

Plaintiff: Nope, I will, I will get it for you.

Rep: Okay, it's okay.

Plaintiff: I'm corresponding with them before I do anything.

Rep: Well just know that until we get that information we will continue with our normal correspondence but we need that information because obviously um anytime that we hear that you are gonna go ahead and work with or discuss with an attorney or anything we have to stop calls out to you. It's just the way it works. But –

Plaintiff: Absolutely.

Rep: Once you've found the chance to discuss that, let him know that what we're discussing is called the difference between sole responsibility and exclusive ownership. Um and that's where, that's where our hang-up is on it. Literally. Those are the frames, okay?

Plaintiff: Okay. Okay.

Rep: Okay, let's – I appreciate it and I'll notate the file with whatever we can to move forward, okay?

Plaintiff: Okay. Okay, have a good day.

Rep: You as well, Mark. Thank you.

Plaintiff: Bye.

Rep: Bye bye.

Macis- 4/27/16

Plaintiff: Hello

Rep : Hello

Rep: Hi may I speak to Mark Macis,

Plaintiff: This is Mark

Rep: Hi mark this is Bianca from socializing and services, how are you doing today?

Plaintiff: How Bianca how are you?

Rep :I am good thank you, I am calling as reference as you know I am sure to (house address 403 Amherst ny) for your protection, I must advise you that this call is attempt to collect a debt and in any information obtain would be used for that purpose, in addition the call is being recorded for quality insurance purposes. Os that ok

Plaintiff: Sure

Rep: Ok perfect. I wanted to touch base with you for your point of contact Tony, Looks like we still are requiring a couple more documents in order to get everything completed. Do you have a moment to go over those?

Plaintiff: Umm yeas sure

Rep: Alright perfect, so it looks like we are asking for 4560 for you, have you already sent that in and wondering it just needs correction.

Plaintiff: So I never received anything from your company

Rep: ok we are doing a short sale

Plaintiff: Ok

Rep: Did you not know that?

Plaintiff: Ok well I am not doing this thing. My ah Catherine is doing this?

Rep: OK was Catherine .. Are you guys divorced?

Plaintiff : Yes we been divorced for quite some time.

Rep: Was she awarded the property in the divorce?

Plaintiff :Yes, I am not supposed to be with you guys and someone else whatever his name, this was taken care of in the upstate courts.

Plaintiff: I already spoke to Tommy about it and someone whatever his name and I told him I will be sending the order of reference. That was approved by your attorney

Rep: Oh ok have you send that in?

Plaintiff: oh actually I did get an email address from you guys , and going to email you guys this evening

Rep: Ok perfect that so that will clear your obligation on your part. Ok

Plaintiff: Yeah I don't know how or why that wasn't forward to you because this was settled with your company and your attorney after they read my divorce decree. They said I should even be under the specialized loan services anymore. So I will be forwarding the documents to the executive department.

Rep: If you want to cc another email on there that way to make sure it gets forwarded to tony, because I don't know the email address for that departments. Do you have something to write with so I can give you tonys to work with.

Plaintiff: Well I don't know why but initially ,I spoke to the account services about it, they won't even provide an email address. I'm like what do you mean they don't have an email; they won't even provide it , they only provided a fax number? I don't know why, if someone needs to send documentation, they don't provide email address.

Rep: Yeah I am not why they wouldn't give it to you,. This is the one I always give. There is no reason why they shouldn't, I am not sure about their guidelines. But as far as our department I can give it you with no problems.

Plaintiff: Ok what is the email address?

Rep: So it's going to be crdocs@fls.net

Plaintiff: Ok what's my account number?

Rep:It is . 1008702479 and just make sure that account number is on the subject line in the email your forwarding '.

Plaintiff: Ok now what department this actually going to, so I know

Rep:Liquidation

Plaintiff: What is liquidation going with these information?

Rep: Well liquidations will do is going to forward the paperwork to underwriter and as long as it says what you said and that you know longer responsible of the property and Catherine have sole owner ----

ship . Than they will go in and clear all the docs , they are asking from you and they will go forward with the process without any document from you.

Plaintiff: Ok what do I do because you guys report it on my credit? Who do I have to go to?

Rep: For it to come off your credit

Plaintiff: Correct

Rep: Um let me find out because typically I just deal with the short sale process and so let me ask and see if one of my more experience underwriters knows. Do you mind if I place you on a two min hold?

Plaintiff: Sure

Rep: Ok Thank you .

Rep: Sorry thanks for holding mark are you still with me? So I did get some clarification, Per you guys getting divorces even though all of the right went to Catherine. Because the original note was underwritten under both you and her , you are both liable for the original mortgage until she sell the home . so it doesn't still stop reporting under credit until the home is sold.

Plaintiff: Ok well here another question, the note was signed 2008 and the amended restated note (new note) in 2010 that I didn't sign

Rep: Ok well you would have to take that up separately with a lawyer, to see what the best course of options is because I can't give legal advised for that I just have what is the original mortgage and if that has changed and needs to be updated that something we need the proper paperwork.

Plaintiff: Ok I have revied the paper work from your attorney Davidson

Rep: Do you have the information of to get ahold Davidson?

Plaintiff: Davidson, your attorney gave me the information, your attorney that you hired are you familiar of Davidson?

Rep : Correct he is the foreclosure attorney.

Plaintiff : Correct he is the one that reviewed the document and that said and told and advised that I shouldn't even be a part of this process due to my divorced decree. This went to NYS court and the nys court and your company said no marks is not a part of this anymore

Rep: Correct apart of the short sale

Plaintiff: No not a part of the short sale, a part of the obligation.

Rep: Then we need the documentation for that

Plaintiff: I got that all Because by law to be removed, from something like this it has to be approved by a court judge.

Rep: Right, Ok forward the documents and we can send it to the legal so they will go ahead and do this. Finally

Plaintiff: Ok I am going to send this email to your liquidation and who else is , who handles this , what the department?

Rep :So tony will the one handling.. and he is the point in contact.

Plaintiff: I am talking about your legal department, he is not part of anything else, he is a part of the short sale.

Rep : He will forward to legal department, they don't have their separate email, we have internal email to forward the documents to them for and tony will be corresponding on getting you removed.

Plaintiff: Ok so just send this to this email and f/u with tony ?

Rep: Yes

Plaintiff: What is tony last name?

Rep: I can't give tony's last name but I can give you tonys's teller id best contact info

Plaintiff: Ok what's id info

Rep: Its 11328,

Plaintiff: What's your name

Rep: Bianca

Plaintiff: I like that name and Bianca what's your id

Rep:11845 and the best contact phone 1800-306-6059. Ok to get a hold of tony because we work in a call center and if his system give you a unavailable, to hit option one and his system will call you automatically so you can talk to him the same day.

Plaintiff:Ok thank you

Rep :Ok no problem mark, have a good day

Plaintiff: You too bye, bye.

